

Serial No.: 09/920,591
Response to OA of 04/20/05

Remarks

Applicant respectfully asks the Examiner to consider the following comments to avoid an appeal. Claims 1-23 are presented for examination.

I. Claim Rejections: 35 USC § 102

Claims 1-5, 10, 11, 13-24 are rejected under 35 U.S.C. §102(e) as being anticipated by USPN 6,288,753 (DeNicola). Applicant respectfully traverses.

Overview of Law on § 102

Under 35 U.S.C. §102, a single prior art reference must teach each and every element of a claim. Applicant provides examples below to show that DeNicola does not teach or even suggest each and every element of the claims. Therefore, the rejection under §102 fails.

Claims 1 and 17

Claims 1 and 17 recite numerous recitations that are not taught or suggested in DeNicola. For example, claims 1 and 17 recite an adapter comprising:

a client, operatively associated with the network interface, said client receiving data from the network interface and producing a data signal.

DeNicola does not teach or suggest an adapter that comprises this element. The Office Action cites **students** that access a virtual university of the Web server (see OA at p. 2: DeNicola at col. 11, lines 34-41). In other words, the Office Action cites human beings for teaching an element in a claim directed to an adapter. Per 35 USC § 101, claim 1 is directed to patentable subject matter of a "machine."

During patent examination, the claims must be given their broadest reasonable interpretation in light of the specification (see MPEP § 2111). The specification discusses and illustrates the use of the term "client" in numerous locations. As one example, the specification states:

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The network adapter 10 may comprise a client 22, a video display driver 24, and a network interface 28, each of which may be embodied in hardware, firmware and/or software (i.e., hardware and/or computer readable program code). The firmware and/or software may be stored within one or more computer readable storage media located within the network adapter 10. (Page 6, lines 10-14).

Thus, the Office Action is not giving terms in claims 1 and 17 a reasonable interpretation consistent with the specification. DeNicola does not teach or suggest all the elements of claims 1 and 17. For at least these reasons, claims 1 and 17 are allowable over DeNicola. The dependent claims are allowable for at least the reasons given in connection with claims 1 and 17.

Claim 11

Claim 11 recites numerous recitations that are not taught or suggested in DeNicola. For example, claim 11 recites connecting the shared image projection device to a network via a network adapter. The Office Action cites DeNicola for teaching this recitation. This portion of DeNicola is reproduced below for convenience:

The Web server system 26 (FIG. 4) comprises, among other things, a Web site interface, an examination building/delivery/score tracking system 100 (FIG. 7), a client level account management system 200 (FIG. 9A), a student level account management system 300 (FIG. 9B), and a workbook building system 400 (FIG. 15), each of which will be discussed below. (DeNicola at col. 10, line 65 – col. 11, line 4))

Nowhere does this section of DeNicola teach or suggest connecting a shared image projection device to a network via a network adapter. This section of DeNicola does not even discuss connecting an image projection device to a network via a network adapter. For at least this reason, DeNicola fails as a § 102 reference.

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As another example, claim 11 recites three elements: connecting, receiving, and outputting. Each of these elements recites recitations regarding a network adapter. By way of example, claim 11 recites connecting the image projection device to a network via a **network adapter**, receiving network data at said **network adapter**, and outputting video data from said **network adapter**. Nowhere does DeNicola teach or suggest a method for providing network access to a shared image projection device wherein the method comprises the three recited elements regarding a network adapter.

In an attempt to show the three elements of the claim 11, the Office Action selected various unrelated elements from DeNicola and provided a piece-meal construction. For example, to show the connecting element, the Office Action cites a Web server comprising a Web site interface (see OA at p. 4: DeNicola at col. 10, lines 65-67). Then, to show the outputting element, the Office Action cites several locations in DeNicola (see OA at p. 4: DeNicola at col. 8, lines 30-55, and col. 9, lines 3-15). These sections teach a video/audio communication link establishing connection between a video production studio and remote learning locations or classrooms (see DeNicola, Figure 1). This portion of DeNicola is unrelated to the Web server used to teach the connecting element.

For at least these reasons, claim 11 is allowable over DeNicola. The dependent claims are allowable for at least the reasons given in connection with claim 11.

II. Claim Rejections: 35 USC § 103

Claims 8 and 9 are rejected under 35 USC § 103(a) as being unpatentable over DeNicola further in view of USPN 6,237,025 (Ludwig). Applicant respectfully traverses.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Applicant asserts that the rejection does not satisfy these criteria.

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Claims 8 and 9 depend from claim 1 and, thus, inherit all the limitations of claim 1. As noted in Section I, DeNicola does not teach or suggest all the recitations in claim 1. Ludwig fails to cure the deficiencies of DeNicola. For at least these reasons, claims 8 and 9 are allowable over DeNicola further in view of Ludwig.

CONCLUSION

In view of the above, Applicant believes all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 703-872-9306 on this 20th day of June, 2005.

By

Name: Bc Henry